

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH CHIDI ANORUO,

Plaintiff,

vs.

ERIK K. SHINSEKI,

Defendant.

Case No. 2:12-cv-01190-JCM-GWF

ORDER

Motion to Stay Discovery (#6)

This matter comes before the Court on Plaintiff Joseph Chidi Anoruo's ("Plaintiff") Motion to Stay Discovery (#6), filed on September 21, 2012. Defendant Erik K. Shinseki ("Defendant") filed a timely Opposition (#11) on October 5, 2012. Plaintiff filed a late Reply (#14) on October 18, 2012.

Plaintiff seeks a stay of discovery in this case pending an appeal of a separate case in which he was also the plaintiff (Case no. 2:11-cv-02070-LRH-CWH, "*Anoruo I*"). The District Court dismissed *Anoruo I* with prejudice on August 23, 2012, *see Anoruo I*, Doc. #22, and Plaintiff filed a Notice of Appeal on September 21, 2012, *see id.*, Doc. #24. As Plaintiff notes, he carries a "heavy burden" of making a "strong showing" that a stay of discovery is warranted in this case. *See Blankenship v. Hearst Corp.*, 519 F.2d 418, 129 (9th Cir. 1975); *Turner Broadcasting, Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997).

Plaintiff attempts to make his showing in support of a stay of discovery by asserting a likelihood of success on his *Anoruo I* appeal, and by representing to the Court that Defendant agreed to a consolidation of this case and *Anoruo I* if *Anoruo I* is remanded. The Court finds Plaintiff has not shown that the outcome of the *Anoruo I* appeal will have any bearing on the instant

1 case. Furthermore, Defendant denies agreeing at the confidential Early Neutral Evaluation to
2 consolidate *Anoruo I* and this case. Therefore, the Court finds Plaintiff has not made a strong
3 showing that a stay of discovery is warranted in this case. Accordingly,

4 **IT IS HEREBY ORDERED** that Plaintiff Joseph Chidi Anoruo's Motion to Stay
5 Discovery (#6) is **denied**.

6 DATED this 25th day of October, 2012.

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9 GEORGE FOLEY, JR.
United States Magistrate Judge